This listing of the claims replaces all prior versions in the application:

Listing of Claims:

1. (Currently Amended) Method of mixing, in one or more container(s), magnetic or (super) paramagnetic particles with a fluid, using at least two ~~more than one magnets~~ magnet arrays with a corresponding container array disposed between adjacent magnet arrays to form an intervening array geometry, whereby the containers are subjected to magnetic fields with different and changing directions by moving the magnets in the adjacent magnet arrays with respect to the position of the container(s) in the corresponding container array and/or by ~~moving~~ oscillating the containers with respect to the positions of the magnets~~, characterized in that the magnets and the holders for the containers are placed in intervening array geometries~~.

2. (Currently Amended) Method according to claim 1, wherein the containers, by ~~moving~~ oscillating ~~either~~ the containers or moving the magnets in first and second adjacent magnet arrays, are subjected to magnetic fields of opposite polarity.

3. (Currently Amended) Method according to claim 1, wherein, as a result of moving either the magnets or the containers, the magnetic or (super) paramagnetic particles in the fluid in respective containers are repeatedly moved between two corresponding magnets that face each other with the same pole, the corresponding magnets being disposed in adjacent magnet arrays on opposing sides of the containers with one held in a first magnet array and the other held in a second magnet array.

4. (Currently Amended) Method according to claim 1, wherein the magnets in a respective magnet array are moved in concert with respect to the position of the containers and/or the containers in a respective container array are moved in concert with each other with respect to the position of the magnets in such a way that the magnetic or (super)paramagnetic particles are moved through the fluid to one side of the container by bringing a first magnet with its magnetic pole close to the wall of the container and, subsequently are moved to the opposite side by bringing a second

magnet close to the opposite wall of the container, whereby said second magnet has the same magnetic pole as the first magnet in such a way that the direction of the magnetic field in each container is repeatedly reversed.

5. (Previously Amended) Method according to claim 1, wherein the magnets are moved with respect to the containers.

6. (Currently Amended) Device for mixing magnetic or (super) paramagnetic particles in ~~one or more~~ containers with a fluid, said device comprising means for holding said one or more containers in at least one container array having a plurality of spaced apart containers and ~~more than one~~ a plurality of magnet arrays, a respective one disposed on opposing sides of the at least one container array, each magnet array comprising a plurality of spaced apart magnets, the magnet arrays configured and aligned in the device so as to cooperate with the at least one container array to concurrently expose the containers therein to different and changing magnetic field directions ~~magnets~~ and means for horizontally moving said magnets with respect to the position of said containers and/or means for ~~moving~~ horizontally oscillating said containers with respect to the position of said magnets in such a way that the containers are subjected to magnetic fields with different and changing directions.

7. (Currently Amended) Device according to claim 6 ~~1~~, the device being provided with a heat block that is positioned in such a way that it can be moved into close proximity with the containers so as to warm their contents, and moved away again.

8. (Original) Device according to claim 7, wherein the heat block is positioned underneath the containers and has wells which enclose the tips of the containers when the heatblock is brought into close proximity with the containers.

9. (Currently Amended) Device according to claim 6 ~~1~~ wherein each magnet in a respective magnet array is oriented in such a way that it repels each of its neighboring magnets.

10. (Currently Amended) Device according to claim 6 ~~1~~, wherein magnets in first and second magnet arrays can be moved back and forth in concert on straight parallel paths along opposite sites of ~~each~~ a corresponding first container array in such a way that the direction of the magnetic field in each container in the first container array is repeatedly reversed.

11. (Currently Amended) Device according to claim 6 ~~1~~, wherein the magnets in first and second magnet arrays are placed in line in such a way that all magnets that are in line in the first array have their poles oriented in the same direction, and that all magnets in a neighboring second magnet array line have their poles oriented in the reverse direction with respect to the poles of the magnets in the first magnet array line.

12. (Currently Amended) Device according to claim 6 ~~1~~, wherein the magnets can also be moved in a vertical direction so as to be positioned at different heights with respect to the walls of the containers.

13. (Currently Amended) Device according to claim 6 ~~1~~, wherein the containers are part of a closed system whereby the containers are adapted to remain in position in the device and serially receive and expel fluid samples .

14. (Currently Amended) Device according to claim 6 ~~1~~, wherein the containers are tube-shaped vessels provided with a tip with a smaller diameter.

15. (Currently Amended) Device according to claim 6 ~~1~~, wherein, in operation, the device is configured to isolate nucleic acid.

16. (Currently Amended) Method for the isolation of nucleic acid from starting material comprising the following steps:

(a) bringing starting material together with an appropriate lysis buffer and magnetisable particles into at least one container <u>held as one of a plurality of containers in a row that defines a container array that holds the containers in spaced apart alignment,</u>

(b) mixing the content of the at least one container by moving a <u>first and second</u> magnet array<u>s with the containers in the container array held therebetween</u> ~~with respect to the containers~~ in such a way that the direction of the magnetic field associated with the at least one container is repeatedly reversed for a sufficient amount of time with the magnets at a height that is adjusted to the volume of the sample,

(c) collecting the particles at a wall of the container using the magnets,

(d) removing most of the sample liquid from the device,

(e) adding a sufficient amount of washing buffer to the device,

(f) repeating step (b) to (d),

(g) adding a suitable amount of elution buffer to the device,

(h) drawing the particles down into the tip of the container by moving the magnets to a lower position,

(i) optionally heating the container by moving a heatblock into close proximity with the containers,

(j) optionally removing an appropriate amount of elution buffer from the device,

(k) repeat step (b),

(l) move the magnets in a vertical direction to a position above the fluid level, and

(m) collect the elution buffer with the isolated nucleic acid container therein.

17. (New) Method according to claim 1, further comprising introducing the magnetic or (super) paramagnetic particles in a clotted or aggregate configuration into the fluid and/or container as a starting material.

18. (New) Method according to claim 17, further comprising mixing the fluid sufficiently to cause the clotted and/or aggregate of magnetic particles to separate and/or disperse to thereby promote mixing with the fluid.

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19. (New) Method according to claim 1, further comprising linearly translating magnets in respective magnet arrays so that the magnets in each array move forward and rearward in concert a predetermined distance and so that adjacent arrays of magnets move in concert in opposing directions on opposite sides of a respective container array.

20. (New) Method according to claim 1, wherein the containers are oscillated by moving the containers in the container array in concert back and forth a predetermined distance that corresponds to a distance that is less than the spacing between adjacent magnets in a respective magnet array.

21. (New) Method according to claim 1,wherein the at least two magnet arrays comprise first and second magnet arrays with the first container array disposed substantially centrally spaced therebetween, and wherein the magnets are moved to provide the mixing by moving the magnets in the first magnet array a predetermined distance forward while moving the magnets in the second magnet array the same predetermined distance rearward and then moving the first magnet array the predetermined distance rearward while moving the magnets in the second magnet array forward so that adjacent containers in the first container array are alternately exposed to magnetic fields provided by the same respective one of the magnets in the first array and then the same respective one of the magnets in the second array.

22. (New) Method according to claim 1, wherein the at least two magnet arrays comprise first and second arrays with the first container array disposed substantially centrally spaced therebetween, and wherein the mixing is carried out by oscillating the containers in the container array, the oscillating step comprises moving the containers in the container array a predetermined distance forward or rearward and then moving the containers in the container array the opposite direction the predetermined distance so that adjacent containers in the first container array are alternately exposed to magnetic fields provided by the same respective one of the magnets in the first array and then the same respective one of the magnets in the second array.

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23. (New) Device according to claim 6, wherein the device is configured to operate with magnetic or (super) paramagnetic particles presented initially in a clotted or aggregate configuration into the fluid and/or container as a starting material.

24. (New) Device according to claim 23, wherein, in operation, the device is configured to cause the clotted and/or aggregate of magnetic particles to separate to thereby promote mixing with the fluid.

25. (New) Device according to claim 6, wherein said device comprises means for moving said magnets, said means for moving the magnet being configured to linearly translate magnets in respective magnet arrays so that the magnets in each array move forward and rearward in concert a predetermined distance and so that adjacent arrays of magnets move in concert in opposing directions on opposite sides of a respective container array.

26. (New) Device according to claim 6, wherein said device comprises means for oscillating the containers by moving the containers in the at least one container array in concert back and forth a predetermined distance that

corresponds to a distance that is less than the spacing between adjacent magnets in the magnet arrays.

27. (New) Device according to claim 6,wherein the plurality of magnet arrays comprise first and second magnet arrays with the at least one container array comprising a first container array that is disposed substantially centrally spaced therebetween, and wherein the magnets are moved to provide the mixing by moving the magnets in the first magnet array a predetermined distance forward while moving the magnets in the second magnet array the same predetermined distance rearward and then moving the first magnet array the predetermined distance rearward while moving the magnets in the second magnet array forward so that adjacent containers in the first container array are alternately exposed to magnetic fields provided by the same respective one of the magnets in the first array and then the same respective one of the magnets in the second array.

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28. (New) Device according to claim 6, wherein the plurality of magnet arrays comprise first and second arrays and the at least one container array comprises a first container array with the first container array disposed substantially centrally spaced therebetween, and wherein the mixing is carried out by oscillating the containers in the first container array, the oscillating step comprises moving the containers in the first container array a predetermined distance forward or rearward and then moving the containers in the first container array the opposite direction the predetermined distance so that adjacent containers in the first container array are alternately exposed to magnetic fields provided by the same respective one of the magnets in the first array and then the same respective one of the magnets in the second array.

29. (New) A method of mixing magnetic and/or (super)paramagnetic particles with a fluid comprising:

providing a device with a plurality of containers held in alignment in spaced apart lines of first and second container arrays and a plurality of permanent magnets held in spaced apart lines of first, second and third magnet arrays, with the first container array being positioned between the first and second magnet arrays and the second container array being positioned between the second and third magnet arrays;

introducing magnetic and/or supermagnetic particles into at least one of the containers in the first and/or second container arrays;

moving the magnets in the first magnet array in concert in a first direction a predetermined distance and then a second opposing direction the predetermined distance;

concurrently moving the magnets in the second magnet array in concert in the second direction the predetermined distance and then in the first direction; and

concurrently moving the magnets in the third magnet array in concert in the first direction the predetermined distance and then in the second direction whereby the particles are exposed to varying magnetic fields and directions and attracted to opposing sides of a respective container to thereby mix the fluid.

30. (New) A method of mixing magnetic and/or (super) paramagnetic particles with a fluid in a plurality of containers, comprising:

arranging a plurality of magnet arrays and at least one container array having opposing first and second sides so that the arrays are alignably positioned with a first magnet array disposed on a first side of a first container array and a second magnet array is positioned on a second side of the first container array, wherein the first and second magnet arrays comprise a plurality of discrete spaced apart magnets and the first container array is configured to hold a plurality of containers in spaced apart alignment; and

moving the magnets in the first and second magnet arrays with respect to the position of the container(s) to expose the magnetic particles and/or (super)

paramagnetic particles in the containers of the first container array to magnetic fields with different and changing directions.

31. (New) A method according to claim 30, wherein the plurality of magnet arrays comprises first, second, and third magnet arrays, and wherein the at least one container array comprises first and second container arrays with the first container array disposed proximate to and intermediate said first and second magnet arrays and the second container arrays disposed proximate to and intermediate the second and third magnet arrays, whereby the magnets in the first, second and third magnet arrays are repeatedly moved forward and rearward, with adjacent magnet arrays traveling in opposing directions to concurrently mix the particles in the containers in the first and second container arrays.

32. (New) A method of mixing magnetic and/or (super) paramagnetic particles with a fluid in a plurality of containers, comprising:

arranging a plurality of magnet arrays comprising first, second and third magnet arrays and a plurality of container arrays comprising first and second container arrays, with the container arrays having opposing first and second sides so that a first magnet array disposed on a first side of the first container array and the second magnet array is positioned on the second side of the first container array and the first side of the second container array and the third magnet array is positioned on the second side of the third magnet array, wherein the first, second, and third magnet arrays comprise a plurality of discrete linearly aligned spaced apart magnets and the first and second container arrays are configured to hold a plurality of containers in spaced apart linear alignment; and

moving the containers in the first container array with respect to the positions of the magnets in the first and second magnet arrays and the containers in the second container array with respect to the positions of the magnets in the second and third magnet arrays to expose the magnetic particles and/or (super) paramagnetic particles in the containers thereof to magnetic fields with different and changing directions to thereby mix the fluid therein.

33. (New) A method according to Claim 32, wherein the step of moving the containers is carried out by substantially continuously advancing the containers along a predetermined travel path.

34. (New) A method according to Claim 32, wherein the step of moving the containers comprises retracting the containers along a predetermined travel path.

35. (New) A method according to Claim 32, wherein the step of moving the containers comprises oscillating the containers between selected positions.

36. (New) A device for mixing magnetic and/or (super) paramagnetic particles with a fluid in a plurality of containers, comprising:

a plurality of laterally spaced apart magnet arrays including at least first, second and third magnet arrays and a plurality of container arrays including at least first and second container arrays, each container array having opposing first and second sides with the first magnet array being proximately positioned on the first side of the first container array and the second magnet array being proximately positioned on the second side of the first container array and the first side of the second container array and the third magnet array being positioned on the second side of the second container array, wherein the first, second, and third magnet arrays comprise a plurality of discrete spaced apart magnets and the first and second container arrays are configured to hold a plurality of containers in spaced apart alignment; and

at least one mechanism that moves the magnets in the first, second and third magnet arrays with respect to the position of the container(s) in the first and second container arrays to concurrently expose the magnetic particles and/or (super) paramagnetic particles in the containers to magnetic fields with different and changing directions.

37. (New) A device for mixing magnetic and/or (super) paramagnetic particles with a fluid in a plurality of containers, comprising:

a plurality of laterally spaced apart magnet arrays including at least first and second magnet arrays and a plurality of container arrays including at least first and second container arrays, each container array having opposing first and second sides with the first magnet array being proximately positioned on the first side of the first container array and the second magnet array being proximately positioned on the second side of the first container array and the first side of the second container array, wherein the magnet arrays comprise a plurality of discrete spaced apart magnets and the first and second container arrays are configured to hold a plurality of containers in spaced apart alignment; and

at least one mechanism that moves the containers in the first and second container arrays relative to the magnets in the first and second magnet arrays to concurrently expose the magnetic particles and/or (super) paramagnetic particles in containers in the first and second container arrays to magnetic fields.

38. (New) A device according to Claim 37, further comprising a third magnet array with the third magnet array being positioned on the second side of the second container array.

39. (New) A device according to Claim 37, wherein the at least one mechanism is configured to advance the containers along a predetermined travel path.

40. (New) A device according to Claim 39, wherein the at least one mechanism is configured to substantially continuously advance the containers along the predetermined travel path.

41. (New) A device according to Claim 37, wherein the at least one mechanism is configure to retract the containers in concert along a predetermined travel path.

42. (New) A device according to Claim 37, wherein the at least one mechanism is configure to oscillate the containers between predetermined positions.